

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
) Case No. 4:17-cr-00573
v.)
)
MITCHELL DAVIS, DC,)
)
Defendant.)

DEFENDANT'S UNOPPOSED MOTION TO CONTINUE HEARING

Comes now Defendant Mitchell Davis (“Dr. Davis”) by and through his attorneys and submits the following motion to continue the hearing scheduled for January 18, 2018. On January 4, the government filed a sealed motion, and on January 5, the Court ordered a hearing on that motion. Counsel for Dr. Davis are located in Houston, Texas, which is currently experiencing severe weather, resulting in the closures of local airports, streets and other significant travel issues. Assistant United States Attorney (“AUSA”) Dorothy McMurtry is not opposed to a continuance concerning the hearing on the sealed motion.

Additionally, on January 14, 2018, Dr. Davis filed a motion to compel discovery. After conferring with AUSA McMurtry, the government is not prepared to respond to the motion to compel at the scheduled hearing on January 18, but would be available on the morning of January 24 or at any time on January 25.

Thus, in order to ensure that counsel is able to travel to St. Louis and to serve the efficiency interests in both pending motions being heard at one time, Dr. Davis respectfully requests that the Court reschedule the pending hearing for the morning of January 24 or any time on January 25, or at any other time convenient for the Court, and hear both the government’s sealed motion and Defendant’s motion to compel at that time.

WHEREFORE, Dr. Davis respectfully requests that the Court order that the hearing presently scheduled for January 18, 2018, be rescheduled the morning of January 24 or at any time on January 25, or at any other time convenient for the Court, at which time the Court hear both pending motions.

Respectfully submitted,

/s/ Gregory S. Saikin
Gregory S. Saikin
Texas Bar No. 24051281
EDMO Bar No. 24051281 (*pro hac vice*)
Samuel E. Doran
Texas Bar No. 24095762
EDMO Bar No. 24095762 (*pro hac vice*)
BAKER & HOSTETLER LLP
811 Main Street, Suite 1100
Houston, TX 77002-6111
Telephone: 713.751.1600
Facsimile: 713.751.1717

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on January 17, 2018, the foregoing document was filed electronically via the Court's electronic filing system and served upon all counsel of record by means of the Court's Notice of Electronic Filing pursuant to Local Rule 5 - 2.12.

/s/ Gregory S. Saikin _____